



PTO/SB/01A (10-01)

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	METHODS AND NUCLEIC ACIDS FOR ANALYSES OF COLORECTAL CELL PROLIFERATIVE DISORDERS
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

The attached application, or  
 Application No. 10/603,138, filed on June 23, 2003.  
 as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

## FULL NAME OF INVENTOR(S)

Inventor one:	<u>Cathy Lofton-Day</u>	Citizen of:	US
Signature:		Date:	<u>10/20/03</u>
Inventor two:	<u>Fabian Model</u>	Citizen of:	DE
Signature:		Date:	<u>20. Oct 2003</u>
Inventor three:	<u>Andrew Sledziewski</u>	Citizen of:	US
Signature:		Date:	<u>10/27/03</u>
Inventor four:	<u>Tamas Rujan</u>	Citizen of:	DE
Signature:		Date:	<u>10/07/03</u>

X Additional inventors are being named on 1 additional form(s) attached hereto.

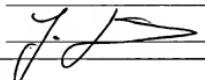
Burden Note Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file and the PTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

**ADDITIONAL INVENTOR(S)  
Supplemental Sheet**

**Page 2 of 2**

**FULL NAME OF INVENTOR(S)**

Inventor five:	Jörn Lewin	Citizen of:	DE
Signature:		Date:	10.07.03
Inventor six:		Citizen of:	
Signature:		Date:	
Inventor seven:		Citizen of:	
Signature:		Date:	
Inventor eight:		Citizen of:	
Signature:		Date:	

Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.



Please type a plus sign (+) inside this box →

PTO/SB/81 (03-01)

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**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	10/603,138
Filing Date	June 23, 2003
First Named Inventor	Cathy Lofton-Day
Title	METHODS AND NUCLEIC ACIDS FOR ANALYSES OF COLORECTAL CELL PROLIFERATIVE DISORDERS
Group Art Unit	
Examiner Name	
Attorney Docket Number	47675-47

I hereby appoint:

Practitioners at Davis Wright Tremaine LLP



22504

PATENT TRADEMARK OFFICE

OR

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above-mentioned Customer Number.

OR

Firm or  
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name Dr. Kurt Berlin, Executive Vice President & CSO

Signature Dr. Kurt Berlin

Date 7/14/03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark



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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Epigenomics AG

Application No./Patent No.: 10/603,138 Filed/Issue Date: June 23, 2003

Entitled: METHODS AND NUCLEIC ACIDS FOR ANALYSES OF COLORECTAL CELL PROLIFERATIVE DISORDERS

Epigenomics AG A Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- the assignee of an undivided part interest

In the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel       , Frame       , or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as shown below:

1. From:        To:

The document was recorded in the United States Patent and Trademark Office at Reel       , Frame       , or for which a copy thereof is attached.

2. From:        To:

The document was recorded in the United States Patent and Trademark Office at Reel       , Frame       , or for which a copy thereof is attached.

3. From:        To:

The document was recorded in the United States Patent and Trademark Office at Reel       , Frame       , or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

**[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]**

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

7/14/03

Date

Dr. Kurt Berlin

Typed or printed name

Signature

Executive Vice President & CSO

Title

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

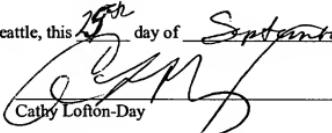
### ASSIGNMENT

WHEREAS, we, Cathy Lofton-Day, residing at 23908-35<sup>th</sup> Ave. W., Brier, WA 98036 USA, Andrew Sledziewski, residing at 17736-15<sup>th</sup> Ave. NW, Shoreline, WA 98177 USA, Jörn Lewin, residing at Lützowufer 24, Berlin, Germany, Fabian Model, residing at 734 Broadway Ave. E., Apt. 306, Seattle, WA 98102 USA and Tamas Rujan, residing at Vinetastr. 7, Berlin, Germany, (ASSIGNORS) are the inventors named in an application for a Letters Patent of the United States entitled METHODS AND NUCLEIC ACIDS FOR ANALYSES OF COLORECTAL CELL PROLIFERATIVE DISORDERS, said application filed on June 23, 2003 and assigned United States Serial No. 10/603,138;

AND, WHEREAS, Epigenomics, AG, a German corporation, having administrative offices at Kastanienallee 24, D-10435 Berlin, Germany (hereinafter referred to as ASSIGNEE) is desirous of acquiring the entire right, title and interest in the invention described in the said application;

NOW, THEREFORE, for sufficient, good and valuable consideration, the receipt of which is hereby acknowledged, we do hereby sell, assign, and transfer unto said ASSIGNEE, our entire right, title to and interest in said application and said inventions and all corresponding foreign applications and patents on said invention(s) to be held and enjoyed by ASSIGNEE as entirely as the same would have been held and enjoyed by us had this sale, assignment, and transfer not been made, and we do hereby further agree and promise to execute all instruments and render all such assistance as ASSIGNEE may request in order to make and prosecute any and all applications on said invention(s), to enforce any and all patents on said invention(s), and to confirm in ASSIGNEE legal title to said invention(s) and all applications and patents on said invention(s), all without charge to ASSIGNEE but at no expense to us.

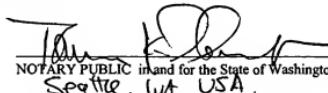
Executed in Seattle, this 25<sup>th</sup> day of September, 2003.

  
Cathy Lofton-Day

STATE OF WASHINGTON )  
: ss  
COUNTY OF KING )

On this 25 day of September, 2003, before me, a Notary Public in and for the State and County aforesaid, personally appeared Cathy Lofton-Day, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and she acknowledged the same to be her free act and deed.



  
NOTARY PUBLIC in and for the State of Washington, residing at  
Seattle WA USA  
My commission expires 10/19/04

Executed in Seattle, this 25 day of September, 2003.

Andrew Sledziewski

STATE OF WASHINGTON )  
COUNTY OF KING )  
: ss  
)

On this 25 day of September, 2003, before me, a Notary Public in and for the State and County aforesaid, personally appeared Andrew Sledziewski, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and I acknowledged the same to be his free act and deed.



Tamara K. Schmautz  
NOTARY PUBLIC in and for the State of Washington, residing at  
Seattle, WA USA  
My commission expires 10/19/04

Executed in Berlin, Germany, this 2 day of September, 2003.

Jörm Lewin

NOTARIZATION AND SEAL

NOTARY  
My commission expires \_\_\_\_\_

Executed in Seattle, this 7<sup>th</sup> day of October, 2003.

F. Model  
Fabian Model

STATE OF WASHINGTON )  
COUNTY OF KING ) : ss

On this 7 day of October, 2003, before me, a Notary Public in and for the State and County aforesaid, personally appeared Fabian Model, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged under oath to be his free act and deed.



T. K. Schmautz  
NOTARY PUBLIC in and for the State of Washington, residing at  
Seattle Washington  
My commission expires 10/19/04

Executed in Berlin, Germany, this 2 day of September, 2003.

Tamas Rujan  
Tamas Rujan

NOTARIZATION AND SEAL

NOTARY

My commission expires \_\_\_\_\_